

## Office of the Secretary, Interior

## § 5.1

possess knowledge or information pertinent to the agency decision being appealed, and if this knowledge or information is unobtainable elsewhere.

(d) An oral presentation shall not constitute a judicial proceeding, and no such judicial proceeding or hearing shall be provided for in this appeals process. There shall be no requirement for legal briefs, sworn statements, interrogation under oath, official transcripts of testimony, etc., unless the appeals official determines such are necessary for effective disposition of the appeal.

### § 4.1609 Multiple appeals.

If two or more appellants submit appeals of the same agency decision, which are based on the same or similar allegations, the appeals official may, at his discretion, consider all such appeals concurrently and issue a single written decision resolving all of the several appeals.

### § 4.1610 Decision of the appeals official.

(a) Within 30 calendar days after receipt of an appeal by the Office of Hearings and Appeals, the appeals official shall issue a written decision, either affirming or denying the appeal. This decision shall be final, with no judicial review or further avenue of appeal.

(b) If the appeals official affirms the appeal, his decision regarding further action by the agency shall be binding upon the agency.

(c) If it proves impracticable to issue a decision within the prescribed 30 calendar days, the appeals official may extend this period, notifying all concerned parties of the anticipated decision date.

## PART 5—MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS ON CERTAIN AREAS UNDER THE JURISDICTION OF THE DEPARTMENT OF THE INTERIOR

Sec.

5.1 Areas administered by U.S. Fish and Wildlife Service or National Park Service.

5.2 Areas administered by the Bureau of Indian Affairs.

AUTHORITY: R.S. 463, sec. 3, 39 Stat. 535, as amended, sec. 10, 45 Stat. 1224, as amended; 5 U.S.C. 301, 25 U.S.C. 2, 16 U.S.C. 715i.

### § 5.1 Areas administered by U.S. Fish and Wildlife Service or National Park Service.

(a) *Permit required.* No picture may be filmed, and no television production or sound track made on any area administered by the U.S. Fish and Wildlife Service or the National Park Service, of the Department of the Interior, by any person other than amateur or bona fide newsreel and news television photographers and soundmen, unless written permission has been obtained from the Service having jurisdiction over the area. Applications for permission should be submitted to the local official having administrative responsibility for the area involved.

(b) *Fees; bonds.* (1) No fees will be charged for the making of motion pictures, television productions or sound tracks on areas administered by the U.S. Fish and Wildlife Service. The regular general admission and other fees currently in effect in any area under the jurisdiction of the National Park Service are not affected by this paragraph.

(2) A bond shall be furnished, or deposit made in cash or by certified check, in an amount to be set by the official in charge of the area to insure full compliance with all of the conditions prescribed in paragraph (d)(3) of this section.

(c) *Approval of application.* Permission to make a motion picture, television production or sound track on areas administered by the U.S. Fish and Wildlife Service or the National Park Service will be granted by the head of the Service or his authorized representative in his discretion and on acceptance by the applicant of the conditions set forth in paragraph (d)(3) of this section.

(d) *Form of application.* The following form is prescribed for an application for permission to make a motion picture, television production, or sound track on areas administered by the

## § 5.2

U.S. Fish and Wildlife Service or the  
National Park Service:

Date \_\_\_\_\_

To the head of the \_\_\_\_\_  
Service, Department of the Interior

(Area)

(1) Permission is requested to make, in the  
area mentioned above, a \_\_\_\_\_

(2) The scope of the filming (or production  
or recording) and the manner and extent  
thereof will be as follows \_\_\_\_\_

Weather conditions permitting, work will  
commence on approximately \_\_\_\_\_ and  
will be completed on approximately \_\_\_\_\_

(An additional sheet should be used if nec-  
essary.)

(3) The undersigned accepts and will com-  
ply with the following conditions:

(i) Utmost care will be exercised to see  
that no natural features are injured, and  
after completion of the work the area will,  
as required by the official in charge, either  
be cleaned up and restored to its prior condi-  
tion or left, after clean-up, in a condition  
satisfactory to the official in charge.

(ii) Credit will be given to the Department  
of the Interior and the Service involved  
through the use of an appropriate title or an-  
nouncement, unless there is issued by the of-  
ficial in charge of the area a written state-  
ment that no such courtesy credit is desired.

(iii) Pictures will be taken of wildlife only  
when such wildlife will be shown in its nat-  
ural state or under approved management  
conditions if such wildlife is confined.

(iv) [Reserved]

(v) Any special instructions received from  
the official in charge of the area will be com-  
plied with.

(vi) Any additional information relating to  
the privilege applied for by this application  
will be furnished upon request of the official  
in charge.

(Applicant)

For \_\_\_\_\_  
(Company)

Bond Requirement \$ \_\_\_\_\_  
Approved: \_\_\_\_\_

(Date)

(Title)

[22 FR 1987, Mar. 26, 1957, as amended at 36  
FR 2972, Feb. 13, 1971; 71 FR 19129, Apr. 13,  
2006]

### § 5.2 Areas administered by the Bu- reau of Indian Affairs.

(a) *Individual Indians.* Anyone who  
desires to go on the land of an Indian  
to make pictures, television produc-  
tions or sound tracks is expected to ob-  
serve the ordinary courtesy of first ob-

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taining permission from the Indian and  
of observing any conditions attached to  
such permission.

(b) *Indian groups and communities.*  
Anyone who desires to take pictures,  
including motion pictures, or to make  
a television production or a sound  
track of Indian communities, churches,  
kivas, plazas, or ceremonies performed  
in such places, must obtain prior per-  
mission from the proper officials of the  
place or community. Limitations  
which such officials may impose must  
be scrupulously observed.

(c) *Use of Indian lands.* If the filming  
of pictures or the making of television  
productions or sound tracks requires  
the actual use of Indian lands, a lease  
or permit must be obtained pursuant to  
25 CFR part 131.

(d) *Employment of Indians.* Any mo-  
tion picture or television producer who  
obtains a lease or permit for the use of  
Indian land pursuant to 25 CFR part 131  
shall be expected to pay a fair and rea-  
sonable wage to any Indians employed  
in connection with the production ac-  
tivities.

[22 FR 1987, Mar. 26, 1957]

## PART 6—PATENT REGULATIONS

### Subpart A—Inventions by Employees

Sec.

- 6.1 Definitions.
- 6.2 Report of invention.
- 6.3 Action by supervisory officials.
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- 6.5 Rights in inventions.
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### Subpart B—Licenses

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- 6.52 Patents.
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ernment.
- 6.55 Terms of licenses or sublicenses.
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- 6.57 Evaluation Committee.

AUTHORITY: 5 U.S.C. 301; sec. 2, Reorganiza-  
tion Plan No. 3 of 1950, 15 FR 3174; E.O. 10096,  
15 FR 389; and E.O. 10930, 26 FR 2583.